

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

IN RE: )  
TALLEY MCDANIEL, SCARLET M ) CASE NO. 04-10525  
)  
) CHAPTER 7  
DEBTOR(S) )

**TRUSTEE'S FINAL REPORT, APPLICATION FOR COMPENSATION  
AND REPORT OF PROPOSED DISTRIBUTION**

Stephen J. Zayler, the Trustee of the estate of the above-named Debtor(s), certifies under penalty of perjury, to the Court and the United States Trustee, that the trustee has faithfully and properly fulfilled the duties of his office, that the Trustee has examined all proofs of claims as appropriate in preparation for the proposed distribution, and that the proposed distribution attached herewith is proper and consistent with the law and rules of the court. The Trustee hereby applies for commission and expenses set forth herein and states that they are reasonable and proper.

I hereby authorize the Office of the United States Trustee to file by electronic means this Trustee's Final Report, Application for Compensation and Report of Proposed Distribution on my behalf, and I agree and acknowledge that the designation of my signature on this document, once filed, constitutes my valid signature for the purposes of 11 U.S.C. §704(9) and Fed. R. Bankr. Pro. 9011.

Therefore, the Trustee respectfully requests that the Final Report, Application for Compensation, and Report of Proposed Distribution be approved.

DATE: February 24, 2005

/s/ Stephen J. Zayler

Stephen J. Zayler  
Trustee

\*\*\*\*\*

REVIEWED BY THE UNITED STATES TRUSTEE:

I have reviewed the Trustee's Final Report, Application for Compensation, and Report of Proposed Distribution.

United States Trustee

Date: \_\_\_\_\_

By: \_\_\_\_\_

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

IN RE: )  
TALLEY MCDANIEL, SCARLET M ) CASE NO. 04-10525  
 )  
 ) CHAPTER 7  
DEBTOR(S) )

**TRUSTEE'S FINAL REPORT, APPLICATION FOR COMPENSATION  
AND APPLICATION TO CLOSE CASE AND DISCHARGE TRUSTEE**

The Trustee of the estate presents the following final report:

1. The Trustee applies for commissions and expenses set forth herein: That they are reasonable and proper; that in the course of the performance of duties, the Trustee has advanced monies from personal funds for expenses, and that the Trustee has not been reimbursed or indemnified.
2. The Trustee submits Schedule F as a summary of the assets and an estate property record. Any property scheduled under 11 U.S.C. Sec. 521(1) and not administered shall be deemed abandoned pursuant to 11 U.S.C. Sec. 554(c).
3. The Trustee has reduced all assets of this estate to cash or otherwise lawfully disposed of them, and the estate is ready to be closed.
4. The Trustee submits Schedule A as the account of estate cash receipts and disbursements.
5. There is no agreement or understanding between the Trustee and any other person for a division of the compensation sought by this application except as permitted by the Bankruptcy Code.
6. The Trustee requests approval of this final report.
7. The Trustee has examined each and every claim filed and noted his approval of claims as filed, or he has filed objections to allowance or requests for reclassification.
8. The Trustee further requests that after final distribution of all monies in accordance with the Trustee's Report of Final Distribution, and upon filing of A Supplemental Final Report and Account and certification by the U.S. Trustee the trustee be discharged from office and that the case be closed.

I declare under penalty of perjury that this Report and attached Schedules are true and correct to the best of my knowledge and belief.

Dated: February 24, 2005

/s/ Stephen J. Zayler

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Stephen J. Zayler Trustee

## SCHEDULE A-1

FINAL ACCOUNT AS OF February 24, 2005

|             |              |
|-------------|--------------|
| A. RECEIPTS | \$112,533.80 |
|-------------|--------------|

### B. DISBURSEMENTS

|                       |           |
|-----------------------|-----------|
| (1) Secured creditors | 93,000.00 |
| (2) Administrative    | 7,025.00  |
| (3) Priority          | 411.69    |
| (4) Other             | 6,000.00  |

|                     |              |
|---------------------|--------------|
| TOTAL DISBURSEMENTS | \$106,436.69 |
|---------------------|--------------|

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|                  |            |
|------------------|------------|
| BALANCE OF FUNDS | \$6,097.11 |
|------------------|------------|

**FORM 1**  
**INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT**  
**ASSET CASES**

Page: 1

Case No: 04-10525 BP1 Judge: BILL PARKER  
Case Name: TALLEY MCDANIEL, SCARLET M

Trustee Name: Stephen J. Zayler  
Date Filed (f) or Converted (c): 04/15/04 (f)  
341(a) Meeting Date: 06/02/04  
Claims Bar Date: 09/06/04

For Period Ending: 02/24/05

| 1   | 2                                  | 3   | 4   | 5                                       | 6   |
|---|------------------------------------|---|---|---|---|
| Asset Description<br>(Scheduled and Unscheduled (u) Property) | Petition/<br>Unscheduled<br>Values | Estimated Net Value<br>(Value Determined by Trustee,<br>Less Liens, Exemptions,<br>and Other Costs) | Property<br>Abandoned<br>OA=554(a) Abandon<br>DA=554(c) Abandon | Sale/Funds<br>Received by<br>the Estate | Asset Fully Administered (FA)/<br>Gross Value of Remaining Assets |
| 1. HOUSE & LOT  | 150,000.00                         | 58,179.89   |   | 112,500.00                              | FA  |
| 2. CHECKING AND/OR SAVINGS ACCOUNT                            | 200.00                             | 0.00  |   | 0.00                                    | FA  |
| 3. SECURITY DEPOSITS  | 935.00                             | 0.00  |   | 0.00                                    | FA  |
| 4. HOUSEHOLD GOODS  | 3,500.00                           | 0.00  |   | 0.00                                    | FA  |
| 5. BOOKS & PICTURES   | 300.00                             | 0.00  |   | 0.00                                    | FA  |
| 6. WEARING APPAREL  | 500.00                             | 0.00  |   | 0.00                                    | FA  |
| 7. IRA, RETIREMENT, OR PENSION FUNDS                          | 15,000.00                          | 0.00  |   | 0.00                                    | FA  |
| 8. ALIMONEY, CHILD SUPPORT                                    | 12,000.00                          | 0.00  |   | 0.00                                    | FA  |
| 9. 1995 MAZADA 626  | 2,000.00                           | 0.00  |   | 0.00                                    | FA  |
| 10. Post-Petition Interest Deposits (u)                       | Unknown                            | N/A   |   | 33.80                                   | Unknown   |

|                                   |               |              |               |                                   |
|-----------------------------------|---------------|--------------|---------------|-----------------------------------|
|                                   |               |              |               | Gross Value of Remaining Assets   |
| TOTALS (Excluding Unknown Values) | \$ 184,435.00 | \$ 58,179.89 | \$ 112,533.80 | \$0.00                            |
|                                   |               |              |               | (Total Dollar Amount in Column 6) |

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

Initial Projected Date of Final Report (TFR): 12/31/05      Current Projected Date of Final Report (TFR): 12/31/05

**FORM 2**  
**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Page: 1

Case No: 04-10525 BP1  
Case Name: TALLEY MCDANIEL, SCARLET M

Trustee Name: Stephen J. Zayler  
Bank Name: BANK OF AMERICA  
Account Number / CD #: \*\*\*\*\*3250 Money Market - Interest Bearing

Taxpayer ID No: \*\*\*\*\*1276  
For Period Ending: 02/24/05

Blanket Bond (per case limit): \$ 300,000.00  
Separate Bond (if applicable):

| 1                | 2                  | 3   | 4  |                    | 5             | 6                  | 7                         |
|------------------|--------------------|---|--|--------------------|---------------|--------------------|---------------------------|
| Transaction Date | Check or Reference | Paid To / Received From   | Description Of Transaction                                 | Uniform Tran. Code | Deposits (\$) | Disbursements (\$) | Account / CD Balance (\$) |
|                  |                    |   | BALANCE FORWARD  |                    |               |                    | 0.00                      |
| 06/21/04         | 1                  | THOMSAS M. MCELROY  | PROCEEDS FROM SALE OF PROPERTY                             | 1110-000           | 112,500.00    |                    | 112,500.00                |
| 06/30/04         | 10                 | BANK OF AMERICA   | Interest Rate 0.100  | 1270-000           | 1.79          |                    | 112,501.79                |
| 06/30/04         | 000101             | WAURENE HEFLIN AND CRYE-LEIKE<br>REALTORS<br>2000 NORTH GLOBSTER<br>TUPELO, MS 38804                    | REALTOR COMMISSION<br>PER COURT ORDER 6/29/04              | 3510-000           |               | 6,750.00           | 105,751.79                |
| 07/30/04         | 10                 | BANK OF AMERICA   | Interest Rate 0.100  | 1270-000           | 9.06          |                    | 105,760.85                |
| 08/31/04         | 10                 | BANK OF AMERICA   | Interest Rate 0.100  | 1270-000           | 8.97          |                    | 105,769.82                |
| 09/30/04         | 10                 | BANK OF AMERICA   | Interest Rate 0.100  | 1270-000           | 8.67          |                    | 105,778.49                |
| 10/04/04         | 000102             | NEW SOUTH FEDERAL SAVINGS BANK<br>ATTN: PAYOFF DEPARTMENT<br>210 AUTOMATION WAY<br>BIRMINGHAM, AL 35210 | PAYMENT OF SECURED CLAIM<br>PER COURT ORDER 10/4/04        | 4110-000           |               | 93,000.00          | 12,778.49                 |
| 10/29/04         | 10                 | BANK OF AMERICA   | Interest Rate 0.100  | 1270-000           | 2.34          |                    | 12,780.83                 |
| 11/08/04         | 000103             | WENDELL KING & GLORIA KING<br>1612CEDARWOOD DRIVE<br>BELDEN, MISSISSIPPI 38826                          | 2004 PRO-RATA AD VALOREM TAXES<br>PER COURT ORDER 11/5/04  | 2820-000           |               | 411.69             | 12,369.14                 |
| 11/08/04         | 000104             | SCARLET M. MCDANIEL TALLEY<br>3843 7TH AVENUE<br>PO BOX 3254<br>PORT ARTHUR, TEXAS 77643                | EXEMPTION AMOUNT BACK TO DEBTOR<br>PER COURT ORDER 11/5/04 | 8100-002           |               | 6,000.00           | 6,369.14                  |
| 11/30/04         | 10                 | BANK OF AMERICA   | Interest Rate 0.100  | 1270-000           | 0.81          |                    | 6,369.95                  |
| 12/31/04         | 10                 | BANK OF AMERICA   | Interest Rate 0.100  | 1270-000           | 0.57          |                    | 6,370.52                  |
| 01/17/05         | 000105             | GREAK & ASSOCIATES<br>CERTIFIED PUBLIC ACCOUNTANTS<br>1403 TURTLE CREEK DRIVE<br>LUFKIN, TEXAS 75904    | ACCOUNTANT FEES<br>PER COURT ORDER 1/14/05                 | 3410-000           |               | 275.00             | 6,095.52                  |
| 01/31/05         | 10                 | BANK OF AMERICA   | Interest Rate 0.100  | 1270-000           | 0.57          |                    | 6,096.09                  |

Page Subtotals 112,532.78 106,436.69

**FORM 2**

**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Page: 2

Case No: 04-10525 BP1  
Case Name: TALLEY MCDANIEL, SCARLET M

Trustee Name: Stephen J. Zayler  
Bank Name: BANK OF AMERICA  
Account Number / CD #: \*\*\*\*\*3250 Money Market - Interest Bearing

Taxpayer ID No: \*\*\*\*\*1276  
For Period Ending: 02/24/05

Blanket Bond (per case limit): \$ 300,000.00  
Separate Bond (if applicable):

| 1                | 2                  | 3                           | 4                          |                    | 5             | 6                  | 7                         |
|------------------|--------------------|-----------------------------|----------------------------|--------------------|---------------|--------------------|---------------------------|
| Transaction Date | Check or Reference | Paid To / Received From     | Description Of Transaction | Uniform Tran. Code | Deposits (\$) | Disbursements (\$) | Account / CD Balance (\$) |
| 02/24/05         | 10                 | BANK OF AMERICA             | INTEREST REC'D FROM BANK   | 1270-000           | 1.02          |                    | 6,097.11                  |
| 02/24/05         |                    | Transfer to Acct #*****3428 | Final Posting Transfer     | 9999-000           |               | 6,097.11           | 0.00                      |

|                           |            |            |      |
|---------------------------|------------|------------|------|
| COLUMN TOTALS             | 112,533.80 | 112,533.80 | 0.00 |
| Less: Bank Transfers/CD's | 0.00       | 6,097.11   |      |
| Subtotal                  | 112,533.80 | 106,436.69 |      |
| Less: Payments to Debtors |            | 6,000.00   |      |
| Net                       | 112,533.80 | 100,436.69 |      |

Page Subtotals 1.02 6,097.11

**FORM 2**

Page: 3

**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No: 04-10525 BP1  
Case Name: TALLEY MCDANIEL, SCARLET M

Trustee Name: Stephen J. Zayler  
Bank Name: BANK OF AMERICA  
Account Number / CD #: \*\*\*\*\*3428 Checking - Non Interest

Taxpayer ID No: \*\*\*\*\*1276  
For Period Ending: 02/24/05

Blanket Bond (per case limit): \$ 300,000.00  
Separate Bond (if applicable):

| 1                | 2                  | 3                             | 4   |                    | 5             | 6                  | 7                         |
|------------------|--------------------|-------------------------------|---|--------------------|---------------|--------------------|---------------------------|
| Transaction Date | Check or Reference | Paid To / Received From       | Description Of Transaction                      | Uniform Tran. Code | Deposits (\$) | Disbursements (\$) | Account / CD Balance (\$) |
| 02/24/05         |                    | Transfer from Acct #*****3250 | BALANCE FORWARD<br>Transfer In From MMA Account | 9999-000           | 6,097.11      |                    | 0.00<br>6,097.11          |

|                           |          |      |          |
|---------------------------|----------|------|----------|
| COLUMN TOTALS             | 6,097.11 | 0.00 | 6,097.11 |
| Less: Bank Transfers/CD's | 6,097.11 | 0.00 |          |
| Subtotal                  | 0.00     | 0.00 |          |
| Less: Payments to Debtors |          | 0.00 |          |
| Net                       | 0.00     | 0.00 |          |

|   |                              |                                |                     |
|---|------------------------------|--------------------------------|---------------------|
|   |                              | NET                            | ACCOUNT             |
| TOTAL - ALL ACCOUNTS                        | NET DEPOSITS                 | DISBURSEMENTS                  | BALANCE             |
| Money Market - Interest Bearing - *****3250 | 112,533.80                   | 100,436.69                     | 0.00                |
| Checking - Non Interest - *****3428         | 0.00                         | 0.00                           | 6,097.11            |
|   | -----                        | -----                          | -----               |
|   | 112,533.80                   | 100,436.69                     | 6,097.11            |
|   | =====                        | =====                          | =====               |
|   | (Excludes Account Transfers) | (Excludes Payments To Debtors) | Total Funds On Hand |

Page Subtotals 6,097.11 0.00

## SCHEDULE B

### APPLICATION FOR COMPENSATION

#### COMPUTATION OF COMMISSIONS

|          |              |                      |            |
|----------|--------------|----------------------|------------|
| Receipts | \$106,533.80 | 25% of First \$5,000 | \$1,250.00 |
| Less     | -\$5,000     | (\$1,250.00 Max)     |            |
| Balance  | \$101,533.80 | 10% of Next \$45,000 | \$4,500.00 |
| Less     | -\$45,000    | (\$4,500.00 Max)     |            |
| Balance  | \$56,533.80  | 5% of Next \$950,000 | \$2,826.69 |
| Less     | -\$950,000   | (\$47,500.00 Max)    |            |
| Balance  | \$0.00       | 3% of Balance        | \$0.00     |

TOTAL COMPENSATION REQUESTED \$4,182.65

Trustee waived full commissions so that unsecured creditor would receive some funds toward the claim filed.

#### TRUSTEE EXPENSES:

|   |          |
|---|----------|
| Premium on Trustee's Bond                     | \$0.00   |
| Travel (162.40 mile at 0.35cents per mile)    | \$56.84  |
| Copies (551.00 page at 0.25 cents per copy)   | \$137.75 |
| Postage                                       | \$65.37  |
| Telephone Charges                             | \$55.00  |
| Clerical/Secretarial (3.90 at 25.00 per hour) | \$97.50  |
| Paralegal/Assistance (0.00 at 0.00 per hour)  | \$0.00   |
| Supplies/Stationary                           | \$2.00   |
| Distribution Expenses                         | \$0.00   |
| Miscellaneous                                 | \$0.00   |

TOTAL EXPENSES \$414.46

Records : Trustee did not take possession of  
business or personal records of Debtor.

x

Notice given debtor on  
to pick up business or personal records  
in hands of Trustee.



# Compensation and Expenses Worksheet

**Case Number: 04-10525 BP1**

**Debtor: TALLEY MCDANIEL, SCARLET M**

## 1. COMPUTATION OF COMPENSATION

Total disbursements to other than the debtor are:

|   |              |                      |              |
|---|--------------|----------------------|--------------|
| Pursuant to 11 U.S.C. § 326, compensation is computed as follows: |              |                      | \$106,533.80 |
|   | \$106,533.80 | 25% of First \$5,000 | \$1,250.00   |
| Less -  | \$5,000.00   | (\$1,250 Maximum)    |              |
| Balance   | \$101,533.80 | 10% of Next \$45,000 | \$4,500.00   |
| Less -  | \$45,000.00  | (\$4,500 Maximum)    |              |
| Balance   | \$56,533.80  | 5% of Next \$950,000 | \$2,826.69   |
| Less -  | \$56,533.80  | (\$47,500 Maximum)   |              |
| Balance   | \$0.00       | 3% of Balance        | \$0.00       |

|                                |            |
|--------------------------------|------------|
| TOTAL COMPENSATION CALCULATED: | \$8,576.69 |
|--------------------------------|------------|

|                             |            |
|-----------------------------|------------|
| TOTAL COMPENSATION ALLOWED: | \$4,182.65 |
|-----------------------------|------------|

|                                    |        |
|------------------------------------|--------|
| Less Previously Paid Compensation: | \$0.00 |
|------------------------------------|--------|

|                               |                   |
|-------------------------------|-------------------|
| TOTAL COMPENSATION REQUESTED: | <b>\$4,182.65</b> |
|-------------------------------|-------------------|

## 2. TRUSTEE EXPENSES

The Trustee has incurred the following expenses:

|          |  |        |
|----------|--|--------|
| 04/30/04 | PHONE: Telephone Expense 1 @ 5.0000                          | \$5.00 |
|          | FAX 662-680-8418   |        |
| 05/03/04 | COPY: Photocopy/Duplication Expense 28 pages @ 0.2500 / page | \$7.00 |
| 05/03/04 | PHONE: Telephone Expense 1 @ 6.0000                          | \$6.00 |
|          | FAX 662-680-8418   |        |
| 05/03/04 | POST: Postage 2 each @ 0.6000 / each                         | \$1.20 |
| 05/03/04 | POST: Postage 1 each @ 0.8300 / each                         | \$0.83 |
| 05/04/04 | COPY: Photocopy/Duplication Expense 2 pages @ 0.2500 / page  | \$0.50 |
| 05/04/04 | COPY: Photocopy/Duplication Expense 2 pages @ 0.2500 / page  | \$0.50 |
| 05/04/04 | POST: Postage 1 each @ 0.3700 / each                         | \$0.37 |
| 05/05/04 | PHONE: Telephone Expense 1 @ 7.0000                          | \$7.00 |
|          | FAX 662-680-8418   |        |
| 05/12/04 | PHONE: Telephone Expense 1 @ 2.0000                          | \$2.00 |
| 05/13/04 | POST: Postage 19 each @ 0.3700 / each                        | \$7.03 |
| 05/26/04 | COPY: Photocopy/Duplication Expense 2 pages @ 0.2500 / page  | \$0.50 |
| 05/26/04 | COPY: Photocopy/Duplication Expense 4 pages @ 0.2500 / page  | \$1.00 |

## Compensation and Expenses Worksheet

**Case Number: 04-10525 BP1**

**Debtor: TALLEY MCDANIEL, SCARLET M**

|          |  |         |
|----------|--|---------|
| 05/26/04 | PHONE: Telephone Expense 1 @ 2.0000<br>FAX 281-998-0421      | \$2.00  |
| 05/26/04 | POST: Postage 1 each @ 0.3700 / each                         | \$0.37  |
| 05/26/04 | POST: Postage 2 each @ 0.3700 / each                         | \$0.74  |
| 05/27/04 | COPY: Photocopy/Duplication Expense 27 pages @ 0.2500 / page | \$6.75  |
| 05/27/04 | PHONE: Telephone Expense 1 @ 2.0000<br>662-680-9355          | \$2.00  |
| 05/27/04 | POST: Postage 19 each @ 0.3700 / each                        | \$7.03  |
| 05/28/04 | PHONE: Telephone Expense 1 @ 1.0000<br>903-693-0340          | \$1.00  |
| 05/28/04 | PHONE: Telephone Expense 1 @ 1.0000<br>903-693-0340          | \$1.00  |
| 06/10/04 | PHONE: Telephone Expense 1 @ 2.0000<br>662-682-9355          | \$2.00  |
| 06/11/04 | COPY: Photocopy/Duplication Expense 8 pages @ 0.2500 / page  | \$2.00  |
| 06/11/04 | PHONE: Telephone Expense 1 @ 1.0000<br>602-842-3723          | \$1.00  |
| 06/11/04 | PHONE: Telephone Expense 1 @ 1.0000<br>662-680-9355          | \$1.00  |
| 06/16/04 | TRAVEL: Travel 46.4 miles @ 0.3500 / mile                    | \$16.24 |
| 06/17/04 | PHONE: Telephone Expense 1 @ 3.0000<br>FAX 662-842-3744      | \$3.00  |
| 06/18/04 | PHONE: Telephone Expense 1 @ 2.0000<br>602-842-3723          | \$2.00  |
| 06/28/04 | COPY: Photocopy/Duplication Expense 55 pages @ 0.2500 / page | \$13.75 |
| 06/28/04 | POST: Postage 23 each @ 0.3700 / each                        | \$8.51  |
| 06/30/04 | POST: Postage 1 each @ 4.4200 / each                         | \$4.42  |
| 06/30/04 | POST: Postage 1 each @ 0.3700 / each                         | \$0.37  |
| 07/26/04 | COPY: Photocopy/Duplication Expense 1 page @ 0.2500 / page   | \$0.25  |
| 07/26/04 | PHONE: Telephone Expense 1 @ 2.0000<br>281-998-8450          | \$2.00  |
| 07/27/04 | TRAVEL: Travel 58 miles @ 0.3500 / mile                      | \$20.30 |
| 08/17/04 | COPY: Photocopy/Duplication Expense 15 pages @ 0.2500 / page | \$3.75  |
| 08/17/04 | POST: Postage 2 each @ 0.3700 / each                         | \$0.74  |
| 08/28/04 | COPY: Photocopy/Duplication Expense 1 page @ 0.2500 / page   | \$0.25  |
| 08/28/04 | POST: Postage 1 each @ 0.3700 / each                         | \$0.37  |
| 09/14/04 | PHONE: Telephone Expense 1 @ 1.0000<br>FAX 409-835-2757      | \$1.00  |
| 09/17/04 | PHONE: Telephone Expense 1 @ 2.0000                          | \$2.00  |

## Compensation and Expenses Worksheet

**Case Number: 04-10525 BP1**

**Debtor: TALLEY MCDANIEL, SCARLET M**

FAX 409-833-8638

|          |  |         |
|----------|--|---------|
| 09/17/04 | PHONE: Telephone Expense 1 @ 2.0000                          | \$2.00  |
|          | FAX 409-835-2757   |         |
| 09/17/04 | PHONE: Telephone Expense 1 @ 2.0000                          | \$2.00  |
|          | FAX 281-998-0421   |         |
| 09/17/04 | POST: Postage 2 each @ 0.3700 / each                         | \$0.74  |
| 09/20/04 | PHONE: Telephone Expense 1 @ 2.0000                          | \$2.00  |
|          | FAX 409-835-2757   |         |
| 09/20/04 | PHONE: Telephone Expense 1 @ 2.0000                          | \$2.00  |
|          | FAX 409-833-8638   |         |
| 09/20/04 | PHONE: Telephone Expense 1 @ 2.0000                          | \$2.00  |
|          | FAX 281-998-0421   |         |
| 09/21/04 | TRAVEL: Travel 58 miles @ 0.3500 / mile                      | \$20.30 |
| 09/30/04 | PHONE: Telephone Expense 1 @ 2.0000                          | \$2.00  |
|          | 281-998-8450   |         |
| 10/04/04 | PHONE: Telephone Expense 1 @ 2.0000                          | \$2.00  |
|          | 281-998-8450   |         |
| 10/04/04 | POST: Postage 1 each @ 0.3700 / each                         | \$0.37  |
| 10/05/04 | COPY: Photocopy/Duplication Expense 38 pages @ 0.2500 / page | \$9.50  |
| 10/05/04 | POST: Postage 1 each @ 0.6000 / each                         | \$0.60  |
| 10/05/04 | POST: Postage 1 each @ 4.6500 / each                         | \$4.65  |
| 10/05/04 | POST: Postage 2 each @ 0.3700 / each                         | \$0.74  |
| 10/11/04 | POST: Postage 2 each @ 0.3700 / each                         | \$0.74  |
| 10/11/04 | POST: Postage 1 each @ 4.6500 / each                         | \$4.65  |
| 10/13/04 | COPY: Photocopy/Duplication Expense 94 pages @ 0.2500 / page | \$23.50 |
| 10/13/04 | POST: Postage 2 each @ 0.3700 / each                         | \$0.74  |
| 10/13/04 | POST: Postage 1 each @ 0.6000 / each                         | \$0.60  |
| 10/20/04 | COPY: Photocopy/Duplication Expense 55 pages @ 0.2500 / page | \$13.75 |
| 10/20/04 | POST: Postage 9 each @ 0.3700 / each                         | \$3.33  |
| 10/20/04 | POST: Postage 1 each @ 1.9800 / each                         | \$1.98  |
| 11/08/04 | POST: Postage 3 each @ 0.3700 / each                         | \$1.11  |
| 11/09/04 | COPY: Photocopy/Duplication Expense 8 pages @ 0.2500 / page  | \$2.00  |
| 11/12/04 | COPY: Photocopy/Duplication Expense 56 pages @ 0.2500 / page | \$14.00 |
| 11/12/04 | COPY: Photocopy/Duplication Expense 5 pages @ 0.2500 / page  | \$1.25  |
| 11/12/04 | POST: Postage 2 each @ 0.3700 / each                         | \$0.74  |
| 11/12/04 | POST: Postage 2 each @ 1.5200 / each                         | \$3.04  |
| 11/12/04 | POST: Postage 1 each @ 1.5200 / each                         | \$1.52  |
| 11/12/04 | SUPPLY: Supplies & Stationery 4 @ 0.2000                     | \$0.80  |

## Compensation and Expenses Worksheet

**Case Number: 04-10525 BP1**

**Debtor: TALLEY MCDANIEL, SCARLET M**

|          |  |         |
|----------|--|---------|
|          | manilla folders  |         |
| 12/13/04 | POST: Postage 1 each @ 0.8300 / each                         | \$0.83  |
| 12/13/04 | POST: Postage 1 each @ 1.0600 / each                         | \$1.06  |
| 12/20/04 | COPY: Photocopy/Duplication Expense 69 pages @ 0.2500 / page | \$17.25 |
| 12/20/04 | POST: Postage 3 each @ 0.6000 / each                         | \$1.80  |
| 01/17/05 | COPY: Photocopy/Duplication Expense 2 pages @ 0.2500 / page  | \$0.50  |
| 01/17/05 | POST: Postage 1 each @ 0.3700 / each                         | \$0.37  |
| 02/11/05 | PHONE: Telephone Expense 1 @ 1.0000<br>662-842-3723          | \$1.00  |
| 02/24/05 | COPY: Photocopy/Duplication Expense 79 pages @ 0.2500 / page | \$19.75 |
| 02/24/05 | POST: Postage 2 each @ 1.5200 / each                         | \$3.04  |
| 02/24/05 | POST: Postage 2 each @ 0.3700 / each                         | \$0.74  |
| 02/24/05 | SEC: Secretarial Expense 3.9 @ 25.0000                       | \$97.50 |
| 02/24/05 | SUPPLY: Supplies & Stationery 6 @ 0.2000<br>MANILLA FOLDERS  | \$1.20  |

### Expense Summary

|   |          |
|---|----------|
| COPY: Photocopy/Duplication Expense 551 pages @ 0.25 / page | \$137.75 |
| PHONE: Telephone Expense 6 @ 1.00                           | \$6.00   |
| PHONE: Telephone Expense 14 @ 2.00                          | \$28.00  |
| PHONE: Telephone Expense 1 @ 3.00                           | \$3.00   |
| PHONE: Telephone Expense 1 @ 5.00                           | \$5.00   |
| PHONE: Telephone Expense 1 @ 6.00                           | \$6.00   |
| PHONE: Telephone Expense 1 @ 7.00                           | \$7.00   |
| POST: Postage 95 each @ 0.37 / each                         | \$35.15  |
| POST: Postage 7 each @ 0.60 / each                          | \$4.20   |
| POST: Postage 2 each @ 0.83 / each                          | \$1.66   |
| POST: Postage 1 each @ 1.06 / each                          | \$1.06   |
| POST: Postage 5 each @ 1.52 / each                          | \$7.60   |
| POST: Postage 1 each @ 1.98 / each                          | \$1.98   |
| POST: Postage 1 each @ 4.42 / each                          | \$4.42   |
| POST: Postage 2 each @ 4.65 / each                          | \$9.30   |
| SEC: Secretarial Expense 3.9 @ 25.00                        | \$97.50  |
| SUPPLY: Supplies & Stationery 10 @ 0.20                     | \$2.00   |
| TRAVEL: Travel 162.4 miles @ 0.35 / mile                    | \$56.84  |

**TOTAL EXPENSES CALCULATED:**

\$414.46

## Compensation and Expenses Worksheet

**Case Number: 04-10525 BP1**

**Debtor: TALLEY MCDANIEL, SCARLET M**

Less Previously Paid Expenses: \$0.00

**TOTAL EXPENSES REQUESTED:** \$414.46

**TOTAL EXPENSES AND COMPENSATION REQUESTED:** ===== \$4,597.11

**DATED: 02/24/05**

/s/ Stephen J. Zayler

**SIGNED** \_\_\_\_\_ **TRUSTEE: Stephen J. Zayler**  
**P. O. Box 150743**  
**Lufkin, TX 75915-0743**

THE STATE OF TEXAS )

COUNTY OF )

BEFORE ME, the undersigned authority on this date personally appeared Stephen J. Zayler, and under oath stated the following:

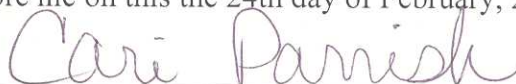
"I, Stephen J. Zayler, am the duly appointed Trustee in the Scarlet Talley-McDaniel bankruptcy proceeding. I am hereby making application for the maximum amount of Trustee fees, as it is my opinion that the maximum amount was earned by me in carrying out my duties as Trustee. I held the 341a meeting, filed necessary proceedings to sell house and lot, and had numerous conferences and correspondence with the debtor, and the debtors' attorney. Further, I performed all other numerous duties of a Trustee, including, but not limited to, preparing Trustee's Final Report, will make disbursements and will prepare the Supplemental Final Report.

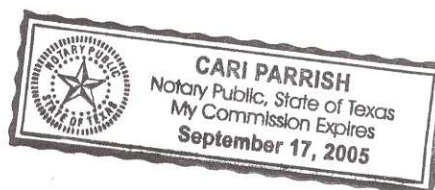
**Please note that paralegal time is included in the final report, because the Attorney for the Trustee Compensation was waived in the case.**

**Trustee waived some of the commission on this case, so that unsecured creditor would receive funds.**

  
\_\_\_\_\_  
Stephen J. Zayler

SWORN TO AND SUBSCRIBED TO before me on this the 24th day of February, 2005.

  
\_\_\_\_\_  
NOTARY PUBLIC, THE STATE OF TEXAS



ITEMIZATION OF SECRETARIAL AND CLERICAL TIME

June 14, 2004 - Load asset, lien, and exemption information;  
(CP - .60)

June 21, 2004 - Open new account, load new account information;  
(CP - .10)

June 21, 2004 - Prepare W-9 Form;  
(CP - .20)

June 21, 2004 - Prepare deposit, post, and transmit;  
(CP - .20)

June 30, 2004 - Prepare check to Waurene Heflin & crylike Realtors  
for real estate commission;  
(CP - .20)

July 14, 2004 - Reconcile Bank Statement;  
(MB - .10)

August 13, 2004 - Reconcile Bank Statement;  
(CP - .10)

September 15, 2004 - Reconcile Bank Statement;  
(MB - .10)

October 4, 2004 - Prepare check to New South Federal Savings Bank for  
payment of secured claim;  
(CP - .20)

October 13, 2004 - Reconcile Bank Statement;  
(MB - .10)

November 8, 2004- Load claim information;  
(CP - .40)

November 8, 2004 - Prepare check to Pay pro-rata 2004 Ad Valorem  
Taxes;  
(CP - .20)

bankrupt.trustee.sec.cla

November 8, 2004 - Prepare check to Pay exempt portion to Debtor;  
(SJZ - .20)

November 10, 2004 - Reconcile Bank Statement;  
(MB - .10)

December 15, 2004 - Reconcile Bank Statement;  
(MB - .10)

January 14, 2005 - Reconcile Bank Statement;  
(MB - .10)

January 17, 2005 - Prepare check to pay Accountant;  
(CP - .20)

February 14, 2005 - Reconcile Bank Statement;  
(MB - .10)

February 16, 2005 - Request Court Costs;  
(CP - .10)

February 24, 2005 - Compile Trustee's Final Report for Submission to  
U. S. Trustee;  
(CP - .30)

February 24, 2005 - Transfer funds from MMA to checking account at  
Bank of America and post accrued interest;  
(CP - .20)

RECAP OF SECRETARIAL & CLERICAL TIME:

|               |   |                             |      |              |
|---------------|---|-----------------------------|------|--------------|
| CARI PARRISH  | - | 3.20 hrs. @ \$25.00/per hr. | =    | 80.00        |
| MILLIE REEVES | - | 0.70 hrs. @ \$25.00/per hr. | =    | <u>17.50</u> |
| TOTAL:        |   | 3.90 hrs. @ \$25.00/per hr. | = \$ | 97.50        |



ITEMIZATION OF TRUSTEE TIME

April 18, 2004 - Initial review of Schedules and Statement of Financial Affairs;

(SJZ - .20)

April 18, 2004 - Receipt of Notice of Appointment;

(SJZ - .10)

April 18, 2004 - Receipt and review of Notice of 341a meeting;

(SJZ - .10)

April 30, 2004 - Telephone conference with Waurene Heflin, Realtor in Mississippi, regarding buyer for property and explaining to her procedures of sale;

(SJZ - .20)

April 30, 2004 - Telephone conference with David Packard regarding Mississippi property - left message;

(SJZ - .10)

\*April 30, 2004 - Prepare Motion to Employ Attorney for Trustee, along with Affidavit and proposed Order;

(SJZ - .80)

April 30, 2004 - Review and execute Application to Employ Attorney for Trustee;

(SJZ - .10)

April 30, 2004 - Receive and review Earnest Money Contract faxed from Realtor and make necessary changes;

(SJZ - .10)

\*April 30, 2004 - Prepare Motion to Employ Realtor along with affidavit and proposed Order;

(SJZ - .90)

April 30, 2004 - Review and execute Motion to Employ Realtor;

(SJZ - .10)

April 30, 2004 - Telephone conference with Realtor regarding execution of Affidavit;

(SJZ - .10)

April 30, 2004 - File and serve Motion to Employ Realtor;

(SJZ - .10)

May 3, 2004 - File and serve Motion to Employ Attorney for Trustee;

(SJZ - .10)

May 3, 2004 - Prepare fax and fax Earnest Money Contract counter to Waurene Heflin;

(SJZ - .10)

May 3, 2004 - Receive and review correspondence from Waurene Heflin, Realtor;  
(SJZ - .10)

May 3, 2004 - Prepare letter to Court transmitting Realtor's Affidavit;  
(SJZ - .20)

May 3, 2004 - Telephone conference to Waurene Heflin, Realtor - left message;  
(SJZ - .10)

May 3, 2004 - Telephone conference with Waurene Heflin regarding purchase  
cannot wait 30 days looking for new purchaser;  
(SJZ - .10)

May 10, 2004 - Receive and review counter on Earnest money Contract;  
(SJZ - .10)

May 10, 2004 - Case Evaluation to review file as to liens etc. to determine  
net to estate;  
(SJZ - .10)

May 10, 2004 - Office conference with Trustee regarding counter offer on  
Earnest Money Contract;  
(SJZ - .10)

May 10, 2004 - Telephone conference with Waureen Heflin regarding counter  
offer;  
(SJZ - .10)

May 11, 2004 - Telephone conference with Waureen Heflin regarding possible  
counter on property;  
(SJZ - .10)

May 11, 2004 - Receive and review counter offer on Earnest Money Contract;  
(SJZ - .10)

May 11, 2004 - Office conference with Trustee regarding counter offer and make  
changes to Earnest Money Contract;  
(SJZ - .20)

May 11, 2004 - Prepare fax and fax Earnest Money Contract back to realtor in  
Mississippi;  
(SJZ - .10)

May 12, 2004 - Telephone conference with Waureen Heflin regarding counter  
accepted by buyer;  
(SJZ - .10)

May 12, 2004 - Telephone conference with Waureen Heflin regarding taxing  
authorities;  
(SJZ - .10)

May 13, 2004 - Telephone conference with Waureen Heflin, realtor;  
(SJZ - .10)

\*May 13, 2004 - Prepare Motion to Sell Real Property along with proposed Order;  
(SJZ - 1.10)

May 13, 2004 - Review and execute Motion to Sell Real Property;  
(SJZ - .10)

May 13, 2004 - File and serve Motion to Sell Real Property;  
(SJZ - .70)

May 13, 2004 - Telephone conference with Waureen Heflin;  
(SJZ - .10)

\*May 13, 2004 - Prepare Motion to Pay Real Estate Commission along with proposed Order;  
(SJZ - .90)

May 13, 2004 - Review and execute Motion to Pay Real Estate Commission;  
(SJZ - .10)

May 18, 2004 - Receive and review Order Employing Attorney;  
(SJZ - .10)

May 18, 2004 - Receive and review Order to Employ Real Estate Agent;  
(SJZ - .10)

May 24, 2004 - Receive and review Motion to Lift Stay filed by Chase Bank;  
(SJZ - .10)

May 26, 2004 - File and serve Response to Motion to Lift Stay on Chase Bank;  
(SJZ - .20)

May 26, 2004 - Office conference with Trustee regarding discrepancy with claim filed and Motion to Lift Stay;  
(SJZ - .10)

May 26, 2004 - Prepare letter to Margaret Baker, attorney for Chase Bank, regarding pending sale, response to Motion to Lift Stay and determine what is owed and to whom;  
(SJZ - .20)

May 26, 2004 - Telephone conference to Waureen Heflin, realtor, regarding status sale - no answer;  
(SJZ - .10)

May 26, 2004 - Organize file;  
(SJZ - .10)

May 26, 2004 - Prepare memo as to status of file for use at 341a meeting on 6/2/04;  
(SJZ - .10)

May 27, 2004 - Telephone conference with Waureen Heflin regarding status of closing;

(SJZ - .10)

May 27, 2004 - File and serve Motion to Pay Realtor;

(SJZ - .60)

June 1, 2004 - Office conference with Trustee regarding status of case administration;

(SJZ - .10)

June 1, 2004 - Review of file prior to conducting 341a meeting;

(SJZ - .10)

June 1, 2004 - Prepare sign-in sheet;

(SJZ - .10)

June 2, 2004 - Conduct 341a meeting;

(SJZ - .20)

June 2, 2004 - Prepare proceeding memo;

(SJZ - .10)

June 4, 2004 - Receive and review Order to Sell Property free and clear of liens;

(SJZ - .10)

June 10, 2004 - Receive and review amended Schedule C;

(SJZ - .10)

June 10, 2004 - Office conference with Trustee regarding amended Schedule C;

(SJZ - .10)

\*June 10, 2004 - Prepare Trustee's Deed;

(SJZ - .50)

June 10, 2004 - Telephone conference with Waureen Heflin regarding closing;

(SJZ - .10)

June 11, 2004 - Telephone conference with Waureen Heflin regarding closing;

(SJZ - .10)

June 11, 2004 - Telephone conference with Waureen Heflin regarding closing;

(SJZ - .10)

June 11, 2004 - Telephone conference with Bethany in closing attorney's office regarding closing;

(SJZ - .20)

June 11, 2004 - Prepare letter to Tom McElroy's office, closing attorney in Mississippi, regarding closing instructions;

(SJZ - .20)

June 11, 2004 - Telephone conference with Tom McElroy's office securing fax number;

(SJZ - .10)

June 11, 2004 - Prepare Trustee's Deed for fed ex delivery;  
(SJZ - .10)

June 11, 2004 - Telephone conference with Melissa Dennis with Brown & Shapiro regarding Motion to Lift Stay and Response set for hearing 6/15/04;  
(SJZ - .20)

June 11, 2004 - Office conference with Trustee regarding hearing on 6/15/04;  
(SJZ - .10)

June 11, 2004 - Receive and review Order setting bar date;  
(SJZ - .10)

June 14, 2004 - Prepare file for hearing;  
(SJZ - .20)

June 14, 2004 - Telephone conference with Brown & Shapiro's office regarding continuing hearing on 6/15/04;  
(SJZ - .10)

June 14, 2004 - Office conference with Trustee regarding announcement at hearing;  
(SJZ - .10)

June 14, 2004 - Telephone conference with Trustee regarding closing rescheduled;  
(SJZ - .10)

June 14, 2004 - Office conference with Trustee regarding closing rescheduled;  
(SJZ - .10)

June 15, 2004 - Travel time (1/2) to Beaumont for hearing on Motion to Lift Stay (prorated);  
(SJZ - .50)

June 15, 2004 - Attended Hearing on Motion to Lift Stay filed by Chase - continuance requested by creditor;  
(SJZ - .30)

June 16, 2004 - Telephone conference with Bethany at closing attorney's office regarding delay of funding;  
(SJZ - .10)

June 17, 2004 - Receive and review HUD-1;  
(SJZ - .10)

June 17, 2004 - Telephone conference with Bethany at Thomas McElroy's office regarding pro-rata taxes not to be deducted from sale price;  
(SJZ - .10)

June 17, 2004 - Prepare HUD-1 for Trustee's signature;  
(SJZ - .10)

June 17, 2004 - Fax signed HUD-1 to closing attorney;  
(SJZ - .10)

June 17, 2004 - Prepare letter to Thomas McElroy transmitting original HUD-1 form;  
(SJZ - .20)

June 18, 2004 - Telephone conference with Bethany at Tom McElroy's office regarding secured creditor;  
(SJZ - .10)

June 18, 2004 - Prepare letter to Tom McElroy confirming payment of secured claimant to be made;  
(SJZ - .20)

June 18, 2004 - Telephone conference with Tom McElroy's office regarding sale proceeds;  
(SJZ - .10)

June 21, 2004 - Review of W-9 for NationsBank and execute same;  
(SJZ - .10)

June 21, 2004 - Review of deposit and initial deposit;  
(SJZ - .10)

June 21, 2004 - Receive and review bank stamped deposit slip;  
(SJZ - .10)

June 25, 2004 - Receive and review letter from Brown & Shapiro regarding payoff;  
(SJZ - .20)

June 25, 2004 - Case Evaluation to review file for particulars;  
(SJZ - .10)

June 25, 2004 - Prepare memo to Trustee regarding sale;  
(SJZ - .10)

June 28, 2004 - Office conference with Trustee regarding secured claim of New South;  
(SJZ - .10)

\*June 28, 2004 - Prepare Motion for Authority to Pay Secured Creditor, New South Federal Savings Bank, along with proposed Order;  
(SJZ - 1.10)

June 28, 2004 - Review and execute Motion to pay Secured Creditor;  
(SJZ - .10)

June 28, 2004 - File and serve Motion to Pay Secured Creditor on all parties;  
(SJZ - .70)

June 20, 2004 - Prepare letter to Crye-Leike Realtors transmitting realtor fee;

(SJZ - .20)

June 30, 2004 - Receive and review Order to Pay Commission to Real Estate Agent;

(SJZ - .10)

June 30, 2004 - Review and execute check for real estate commission;

(SJZ - .10)

July 6, 2004 - Receive and review return receipt request to Waurene Heflin;

(SJZ - .10)

July 8, 2004 - Telephone conference with David Packard regarding Debtor's Exemptions;

(SJZ - .10)

July 14, 2004 - Receipt of and review bank statement;

(SJZ - .10)

July 21, 2004 - Case evaluation to review file in preparation for Moiton to Lift Stay Hearing;

(SJZ - .10)

July 21, 2004 - Prepare memo to Trustee;

(SJZ - .20)

July 26, 2004 - Telephone conference with Margaret with Brown & Shapiro regarding hearing on Motion to Lift Stay set for 7/27/04;

(SJZ - .10)

July 26, 2004 - Office conference with Trustee regarding hearing on 7/27/04;

(SJZ - .10)

July 26, 2004 - Calculate amount to be paid per Trustee Motion to Pay Secured Creditor;

(SJZ - .10)

July 26, 2004 - Access Pacer to see if Order to Pay Secured creditor has been signed;

(SJZ - .10)

July 26, 2004 - Telephone conference with Margaret Baker regarding amount Trustee will agree to pay;

(SJZ - .10)

July 26, 2004 - Office conference with Trustee regarding status of file as to Motion to Lift Stay set for hearing on 7/27/04;

(SJZ - .10)

June 27, 2004 - Travel time (1/2) to Beaumont for hearing (prorated);

(SJZ - .50)

June 27, 2004 - Attended Hearing on Motion to Lift Stay filed by Chase;  
(SJZ - .20)

July 28, 2004 - Prepare letter to Margaret Baker, attorney for New South,  
regarding settlement of amount owed on secured claim;  
(SJZ - .20)

August 3, 2004 - Receive and review Motion to Reconsider Order on Allowance of  
Secured Claim of New South Bank;  
(SJZ - .30)

\*August 6, 2004 - Prepare Response to Motion to Reconsider Order to Pay New  
South;  
(SJZ - 1.60)

August 6, 2004 - Review and execute Motion to Reconsider Order to pay New  
South;  
(SJZ - .10)

August 13, 2004 - Receipt of and review bank statement;  
(SJZ - .10)

August 17, 2004 - File and serve Response to Motion to Reconsider;  
(SJZ - .10)

August 20, 2004 - Receive and calendar Notice of Hearing on Motion for New  
South;  
(SJZ - .10)

August 20, 2004 - Prepare memo to Trustee regarding hearing on 8/24/04;  
(SJZ - .10)

September 14, 2004 - Telephone conference with Mark Henry, local counsel for  
mortgage company, regarding possible agreement on Motion to Reconsider;  
(SJZ - .20)

September 14, 2004 - Receive and review amended Proof of Claim from New South;  
(SJZ - .10)

September 14, 2004 - Case Evaluation to review file to calculate funds  
remaining after payment of exemption, etc.;  
(SJZ - .10)

September 14, 2004 - Prepare memo to Trustee regarding funds to be paid;  
(SJZ - .10)

September 15, 2004 - Receipt of and review bank statement;  
(SJZ - .10)

\*September 17, 2004 - Prepare Trustee's Designation of Witnesses and Exhibits  
for hearing on 9/21/04;  
(SJZ - .60)



September 17, 2004 - File and serve Designation of Witnesses & Exhibits;  
(SJZ - .20)

September 17, 2004 - Telephone conference with Mark Henry regarding hearing on 9/21/04;  
(SJZ - .10)

September 20, 2004 - Receive and review Debtor's Witness & Exhibit List filed by D. Packard;  
(SJZ - .10)

September 20, 2004 - Telephone conference with David Packard regarding attempting to work out agreement;  
(SJZ - .10)

September 20, 2004 - Office conference with Trustee regarding possible offer of settlement;  
(SJZ - .10)

September 20, 2004 - Prepare file for Court Appearance;  
(SJZ - .10)

September 20, 2004 - Telephone conference with David Packard regarding New South's position;  
(SJZ - .10)

September 20, 2004 - Prepare letter to all parties regarding proposed settlement offer;  
(SJZ - .20)

September 20, 2004 - Fax letter to all parties;  
(SJZ - .20)

September 21, 2004 - Travel time (1/2) to Beaumont for hearing;  
(SJZ - 1.00)

September 21, 2004 - Attended hearing on Motion to Reconsider Order - Continued Hearing;  
(SJZ - .30)

September 21, 2004 - Office conference with Trustee regarding results of hearing on Motion to Reconsider;  
(SJZ - .10)

September 30, 2004 - Telephone conference with Margaret Baker regarding settlement of Motion to Reconsider;  
(SJZ - .10)

September 30, 2004 - Office conference with Trustee regarding offer of settlement of Motion to Reconsider;  
(SJZ - .10)

September 30, 2004 - Telephone conference with Margaret Baker regarding Trustee's acceptance of offer of settlement of Motion to Reconsider;  
(SJZ - .10)

October 4, 2004 - Telephone conference with Margaret Baker's office regarding FedEx account number;  
(SJZ - .10)

October 4, 2004 - Receive and review proposed Agreed Order on Motion to Reconsider;  
(SJZ - .10)

October 4, 2004 - Telephone conference with Margaret Baker regarding Court signed Order;  
(SJZ - .10)

October 5, 2004 - Access Pacer and print off claims;  
(SJZ - .20)

October 5, 2004 - Review claims for legal sufficiency;  
(SJZ - .30)

\*October 5, 2004 - Prepare Objection to Proof of Claim #3 along with Affidavit and proposed Order;  
(SJZ - .50)

October 5, 2004 - Review and execute Objection to Claim #3;  
(SJZ - .10)

\*October 5, 2004 - Prepare Application to Employ Greak & Sorrell as Accountant with Affidavit and proposed Order;  
(SJZ - .80)

October 5, 2004 - Travel time to and from accountant's office to get affidavit signed;  
(SJZ - .60)

October 11, 2004 - Access Pacer to check status of debtor's amendments;  
(SJZ - .10)

October 11, 2004 - Prepare email to David Packard regarding amendments to exemptions;  
(SJZ - .10)

October 12, 2004 - Receive and review Debtor's amended Schedule C;  
(SJZ - .10)

\*October 12, 2004 - Prepare Motion to Pay Pro-Rata Ad Valorem Taxes along with proposed Order;  
(SJZ - 1.10)

October 12, 2004 - Review and execute Motion to Pay Pro-Rata Ad Valorem Taxes along with proposed Order;  
(SJZ - .10)

\*October 12, 2004 - Prepare Motion to Pay Exempt Proceeds to Debtor along with proposed Order;  
(SJZ - .90)

October 12, 2004 - Review and execute Motion to Pay Exempt Proceeds to Debtor along with proposed Order;  
(SJZ - .10)

October 13, 2004 - Receipt of and review bank statement;  
(SJZ - .10)

October 13, 2004 - File and serve Motion to Pay Ad Valorem Pro-rata taxes and Motion to Pay Debtor;  
(SJZ - 1.20)

October 22, 2004 - Receive and review Order to Employ Greak and Sorrell as Accountants;  
(SJZ - .10)

October 29, 2004 - Receive and review Order Disallowing Claim #3;  
(SJZ - .10)

November 8, 2004 - Receive and review Order to Pay 2004 Ad Valorem Taxes;  
(SJZ - .10)

November 8, 2004 - Receive and review Order to Pay Exempt Funds;  
(SJZ - .10)

November 8, 2004 - Prepare letter to Thomas McElroy, closing attorney, regarding 2004 pro-rata taxes;  
(SJZ - .20)

November 8, 2004 - Prepare letter to David Packard regarding Debtor's exempt portion of sale proceeds;  
(SJZ - .20)

November 8, 2004 - Organize file;  
(SJZ - .10)

November 8, 2004 - Review and execute check to pay Ad Valorem Taxes;  
(SJZ - .10)

November 8, 2004 - Review and execute check to pay Exempt portion to Debtor;  
(SJZ - .10)

November 10, 2004 - Receipt of and review bank statement;  
(SJZ - .10)

November 22, 2004 - Telephone conference with Elizabeth at Greak 7 Sorrell regarding information on real estate sold;  
(SJZ - .10)

\*December 12, 2004 - Prepare Motion for Allowance of Compensation to Accountant with Exhibit and proposed Order;  
(SJZ - .90)

December 12, 2004 - Review and execute Motion to Pay Accountant;  
(SJZ - .10)

December 15, 2004 - Receipt of and review bank statement;  
(SJZ - .10)

January 14, 2005 - Receipt of and review bank statement;  
(SJZ - .10)

January 17, 2005 - Receive and review Order to Pay Accountant;  
(SJZ - .10)

January 17, 2005 - Review and execute check to pay Accountant;  
(SJZ - .10)

February 2, 2005 - Telephone conference with Thomas Elroy's office regarding check made out to the Kings; has not cleared bank yet;  
(SJZ - .10)

February 14, 2005 - Receipt of and review bank statement;  
(SJZ - .10)

February 17, 2005 - Receive and review Court Costs;  
(SJZ - .10)

TOTAL ITEMIZED TRUSTEE TIME: 36.10 hrs.

**Additional Trustee time to be incurred:**

Evaluation of case for administration and disposition of assets;

Continuous monitor of case administration;

Preparation of disbursement checks to creditors and Trustee fees and expenses;

Preparation of dividend letter to creditors;

Review additional bank statements;

Preparation of additional Form 1's and 2's as necessary;

Preparation of Trustee's Supplemental Final Report.

\*Trustee waives Application for Separate compensation for this.

SCHEDULE C  
EXPENSES OF ADMINISTRATION

|   | (1) Amount<br>Claimed | (2) Amount<br>Allowed | (3) Previously<br>Paid | (4) Due    |
|---|-----------------------|-----------------------|------------------------|------------|
| 1. 11 U.S.C Sec. 507(a)(1)<br>Court Costs and Fees -----                          | 0.00                  | 0.00                  | 0.00                   | 0.00       |
| 2. 11 U.S.C. Sec. 503(b)(1)(a)<br>Preservation of Estate -----                    | 0.00                  | 0.00                  | 0.00                   | 0.00       |
| 3. 11 U.S.C. Sec. 503(b)(2)<br>Post-Petition taxes and related<br>penalties ----- | 0.00                  | 0.00                  | 0.00                   | 0.00       |
| 4. 11 U.S.C. Sec. 503(b)(2)<br>Compensation and<br>Reimbursements -----           |                       |                       |                        |            |
| A. Trustee - Compensation   | 4,182.65              | 4,182.65              | 0.00                   | 4,182.65   |
| B. Trustee - Expense  | 414.46                | 414.46                | 0.00                   | 414.46     |
| C. ACCOUNTANT FEES  | 275.00                | 275.00                | 275.00                 | 0.00       |
| D. REAL ESTATE FEES   | 6,750.00              | 6,750.00              | 6,750.00               | 0.00       |
| 5. Court Special Charges (Excess<br>Notices) -----                                | 0.00                  | 0.00                  | 0.00                   | 0.00       |
| 6. United States Trustee Fees -----   | 0.00                  | 0.00                  | 0.00                   | 0.00       |
| BkMk6   |                       |                       |                        |            |
| TOTALS:   | \$11,622.11           | \$11,622.11           | \$7,025.00             | \$4,597.11 |

SCHEDULE C-2

|  |      |
|--|------|
| Expenses incurred in connection with sale of<br>real property (if any) | 0.00 |
|--|------|

---

|                        |          |      |
|------------------------|----------|------|
| Title Insurance Policy | 0.00     |      |
| Escrow Fee             | 0.00     |      |
| Realtor's Fee          | 6,750.00 |      |
| Filing Fee             | 0.00     | 0.00 |

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION**

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**In Re:**

Scarlet M. Talley-McDaniel

**Bankruptcy Case:**  
Chapter 7

04-10525 bp

**Debtor(s):**

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**BILL OF COURT COSTS**

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**TO:** Stephen Zayler  
123 E. Lufkin Avenue  
PO Box 150743  
Lufkin, TX 75915-0743

Notice is hereby given that court costs (and deferred filing fees, if applicable) are now due pursuant to 28 USC Section 1930, in the above case in the amount of **\$0** (Total Amount)

These costs are itemized as follows

**NOTICES**

\$0.25 per notice in excess of 50 notices mailed prior to 1/1/87. --

**\$0** (Prior to 1/1/87)

\$0.50 per notice for all notices mailed after to 1/1/87. --

**\$0** (After 1/1/87)

**NOTE:** For Chapter 7 cases filed after 12/1/92, there will be NO NOTICE FEES. (Do Not Bill for \$0.50 per notice)

**NOTE:** For all other Chapters filed after 1/1/98, there will be NO NOTICE FEES. (Do Not Bill for \$0.50 per notice)

**PROCESSING CLAIMS**

**NOTE:** The fee of \$0.25 for clerical processing of each claim in excess of 10 in. cases filed under the Act or Code has been eliminated

**DEFERRED FILING FEES**

0(Deferred Adversaries) Chapter 7 Adversary Proceeding(s) filed @ \$120.00/\$150.00 each.

**\$0**

Deferred Filing Fee - Motion To Reopen

**\$0**

**TOTAL AMOUNT DUE**

**\$0**

Check to be made payable to Clerk, U.S. Bankruptcy Court

Date: **February 17, 2005**

JAMES D. TOKOPH  
Clerk of Court

BY: \_\_\_\_\_

# SCHEDULE D

## SECURED CLAIMS

| Claim no. | Amount<br>Claimed | Amount Not<br>Determined | Amount<br>Allowed | Previously<br>Paid | Due  |
|-----------|-------------------|--------------------------|-------------------|--------------------|------|
|           | 93,000.00         | 0.00                     | 93,000.00         | 93,000.00          | 0.00 |
| TOTALS    | 93,000.00         |                          | 93,000.00         | 93,000.00          | 0.00 |

## IDENTIFICATION OF SECURED PARTIES AFFECTED:

| Claim No. Name of Creditor |  | Claim No. Name of Creditor |                                |
|----------------------------|--|----------------------------|--------------------------------|
| 000003                     | NEW SOUTH FEDERAL SAVINGS BANK<br>NEW SOUTH FEDERAL SAVINGS BANK | 000001                     | NEW SOUTH FEDERAL SAVINGS BANK |



# SCHEDULE E

## PRIORITY CLAIMS OTHER THAN ADMINISTRATIVE EXPENSES IN THE FOLLOWING ORDER OF PRIORITY

|   | (1) Amount<br>Claimed | (2) Amount<br>Allowed | (3) Amount<br>Paid | (4) Due |
|---|-----------------------|-----------------------|--------------------|---------|
| 1. For Credit extended - Sec. 364(e)(1)                           | 0.00                  | 0.00                  | 0.00               | 0.00    |
| 2. Claims from failure of adequate protection -<br>Sec. 307(a)(b) | 0.00                  | 0.00                  | 0.00               | 0.00    |
| 3. "Gap Claims" - Sec. 507(a)(2)                                  | 0.00                  | 0.00                  | 0.00               | 0.00    |
| 4. Wages, etc. - Sec. 507(a)(3)                                   | 0.00                  | 0.00                  | 0.00               | 0.00    |
| 5. Contributions to benefit plans - Sec. 507(a)(4)                | 0.00                  | 0.00                  | 0.00               | 0.00    |
| 6. Consumer deposits - Sec. 507(a)(6)                             | 0.00                  | 0.00                  | 0.00               | 0.00    |
| 7. Taxes - Sec. 507(a)(7)   | 411.69                | 411.69                | 411.69             | 0.00    |
| 8. Other (No Basis):  | 0.00                  | 0.00                  | 0.00               | 0.00    |
| TOTALS:   | \$411.69              | \$411.69              | \$411.69           | \$0.00  |

# SCHEDULE E

## PARTIES AFFECTED:

Priority No. Name of Creditor

Priority No. Name of Creditor

WENDELL KING & GLORIA KING

|   |          |          |          |          |
|---|----------|----------|----------|----------|
| FILED UNSECURED CLAIMS TOTAL:           | 7,671.40 | 7,671.40 | 6,000.00 | 1,671.40 |
| SUBORDINATED UNSECURED CLAIMS<br>TOTAL: | 0.00     | 0.00     | 0.00     | 0.00     |

EXHIBIT A  
ANALYSIS OF CLAIMS REGISTER

Case Number: 04-10525

Page 1

Date: February 24, 2005

Debtor Name: TALLEY MCDANIEL, SCARLET M

Claim Number Sequence

| Code #              | Creditor Name & Address   | Claim Class   | Notes | Amount Allowed | Paid to Date | Claim Balance |
|---------------------|---|---|-------|----------------|--------------|---------------|
| 025<br>REF          | WAURENE HEFLIN AND CRYE-LEIKE<br>REALTORS<br>2000 NORTH GLOBSTER<br>TUPELO, MS 38804                            | Administrative<br>PER COURT ORDER 6/29/04                                       |       | \$6,750.00     | \$6,750.00   | \$0.00        |
| 010<br>SEC          | NEW SOUTH FEDERAL SAVINGS BANK<br>ATTN: PAYOFF DEPARTMENT<br>210 AUTOMATION WAY<br>BIRMINGHAM, AL 35210         | Secured<br>PER COURT ORDER 10/4/04  |       | \$93,000.00    | \$93,000.00  | \$0.00        |
| 061<br>PTL          | WENDELL KING & GLORIA KING<br>1612 CEDARWOOD DRIVE<br>BELDEN, MISSISSIPPI 38826                                 | Priority<br>PER COURT ORDER 11/5/04   |       | \$411.69       | \$411.69     | \$0.00        |
| 080<br>BD           | SCARLET M. MCDANIEL TALLEY<br>3843 7TH AVENUE<br>PO BOX 3254<br>PORT ARTHUR, TEXAS 77643                        | Unsecured<br>PER COURT ORDER 11/5/04  |       | \$6,000.00     | \$6,000.00   | \$0.00        |
| 025<br>AF           | GREAK & ASSOCIATES<br>CERTIFIED PUBLIC ACCOUNTANTS<br>1403 TURTLE CREEK DRIVE<br>LUFKIN, TEXAS 75904            | Administrative  |       | \$275.00       | \$275.00     | \$0.00        |
| 000001              | New South Federal Savings Bank<br>c/o Brown and Shapiro<br>4620 Fairmont Parkway, Ste 108<br>Pasadena, TX 77504 | Secured<br>AMEDED BY CLAIM NO. 3  |       | \$84,864.81    | \$0.00       | \$84,864.81   |
| 000002<br>070<br>UC | Port Arthur Teachers Credit Union<br>3001 Jimmy Johnson Blvd.<br>Port Arthur, TX 77642                          | Unsecured   |       | \$1,671.40     | \$0.00       | \$1,671.40    |
| 000003              | New South Federal Savings Bank<br>c/o Brown and Shapiro<br>4620 Fairmont Parkway, Ste 108<br>Pasadena, TX 77504 | Secured<br>AMENDS CLAIM NO. 1<br>Order Disallowing Claim No. 3 entered 10/28/04 |       | \$96,003.33    | \$0.00       | \$96,003.33   |
| Case Totals:        |   |   |       | \$288,976.23   | \$106,436.69 | \$182,539.54  |

Code #: Trustee's Claim Number, Priority Code, Claim Type

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

|                            |   |                   |
|----------------------------|---|-------------------|
| IN RE:                     | ) |                   |
| TALLEY MCDANIEL, SCARLET M | ) | CASE NO. 04-10525 |
|                            | ) |                   |
|                            | ) | CHAPTER 7         |
| DEBTOR(S)                  | ) |                   |

TRUSTEE'S REPORT OF  
PROPOSED FINAL DISTRIBUTIONS

The undersigned trustee of the estate hereby submits to the Court and to the United States Trustee this Report of Proposed Final Distributions.

1. The Court has entered orders which have become final, and which dispose of all objections to claims, all objections to the trustee's Final Report, all applications for compensation, and all other matters which must be determined by the Court before final distribution can be made.

2. The trustee proposes to make final distribution of the funds of the estate as follows, and will make such distribution unless written objection thereto is made, filed and served on the trustee and on the United States trustee.

|   |            |
|---|------------|
| 1. BALANCE ON HAND  | \$6,097.11 |
| 2. ADMINISTRATIVE EXPENSES TO BE PAID * (note)                  | \$4,597.11 |
| 3. SECURED CLAIMS TO BE PAID * (note)                           | \$0.00     |
| 4. PRIORITY CLAIMS TO BE PAID * (note)                          | \$0.00     |
| 5. UNSECURED CLAIMS TO BE PAID * (note)                         | \$1,500.00 |
| 6. OTHER DISTRIBUTIONS TO BE PAID * (note)                      | \$0.00     |
| 7. TOTAL DISTRIBUTIONS TO BE MADE<br>(Sum of lines 2 through 6) | \$6,097.11 |
| 8. ZERO BALANCE AFTER ALL DISTRIBUTIONS<br>(Line 1 less line 7) | \$0.00     |

\* (See attached schedule of payees and amounts)

|                              |           |
|------------------------------|-----------|
| <u>/s/ Stephen J. Zayler</u> | (Trustee) |
| Stephen J. Zayler            |           |

## PROPOSED DISTRIBUTION

Case Number: 04-10525 BP1

Page 1

Date: February 24, 2005

Debtor Name: TALLEY MCDANIEL, SCARLET M

| Claim #           | Payee Name                                | Class    | Priority | Amount       | Paid to Date | Claim Balance | Proposed Pymt | Funds Remaining |
|-------------------|---|----------|----------|--------------|--------------|---------------|---------------|-----------------|
| Beginning Balance |   |          |          |              |              |               |               | \$6,097.11      |
|                   | Stephen J. Zayler<br>COMPENSATION         | Admin    |          | \$4,182.65   | \$0.00       | \$4,182.65    | \$4,182.65    | \$1,914.46      |
|                   | Stephen J. Zayler<br>EXPENSES             | Admin    |          | \$414.46     | \$0.00       | \$414.46      | \$414.46      | \$1,500.00      |
|                   | WAURENE HEFLIN AND<br>CRYE-LEIKE REALTORS | Admin    | 025      | \$6,750.00   | \$6,750.00   | \$0.00        | \$0.00        | \$1,500.00      |
|                   | GREAK & ASSOCIATES                        | Admin    | 025      | \$275.00     | \$275.00     | \$0.00        | \$0.00        | \$1,500.00      |
|                   | NEW SOUTH FEDERAL<br>SAVINGS BANK         | Sec      | 010      | \$93,000.00  | \$93,000.00  | \$0.00        | \$0.00        | \$1,500.00      |
|                   | WENDELL KING & GLORIA<br>KING             | Priority | 061      | \$411.69     | \$411.69     | \$0.00        | \$0.00        | \$1,500.00      |
| 000002            | Port Arthur Teachers Credit Union         | Unsec    | 070      | \$1,671.40   | \$0.00       | \$1,671.40    | \$1,500.00    | \$0.00          |
|                   | SCARLET M. MCDANIEL<br>TALLEY             | Unsec    | 080      | \$6,000.00   | \$6,000.00   | \$0.00        | \$0.00        | \$0.00          |
| << Totals >>      |   |          |          | \$112,705.20 | \$106,436.69 | \$6,268.51    | \$6,097.11    | \$0.00          |

Proposed distribution is dependent on the Court's rulings on administrative expenses, contest of claims, and/or objections made to this proposed distribution.